

Approved For Release 2003/08/08 : CIA-RDP82-00357R000500100006-4

OGC Has Reviewed

OLC 79-2110

5 July 1979

STAT NOTE FOR:

SA/DDCI

STAT FROM :

Chief, Legislation Division/OLC

SUBJECT : CIA-OMB Relations

1. Attached for your information is a Memorandum for the Record of a conversation between an OGC attorney and an officer of the Office of Personnel Management's Compensation Division. During this conversation the OPM officer told the OGC attorney that OPM had been informed by OMB that OMB had a "policy" of trying to "bring CIA personnel practices into conformity with Government-wide personnel practices."

2. A member of the National Security Council Staff recently told me that he had gathered a similar impression of OMB's attitude toward the Agency in connection with another matter.

3. Thus, there is some indication that the antagonistic behavior of OMB staff which we have seen in connection with various legislative issues reflects conscious high-level OMB policy. If this is the case, the problem will have to be approached at the highest levels of our own organization.

STAT

Attachment

cc: FPH/LLM (w/o att.)

Distribution:

Original - Addr.

1 - OGC [redacted] w/o att.

1 - OP [redacted] w/att

1 - OLC Subject

1 - OLC Chrono

OLC:GMC:mao (5 Jul 79)

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2 July 1979

MEMORANDUM FOR THE RECORD


FROM :
STAT Office of General Counsel
SUBJECT: OMB Policy Vis-a-Vis CIA

1. This memorandum concerns a conversation held between myself and Jim Woodruff of the Office of Personnel Management's Compensation Division on 22 June 1979. The purpose of our conversation was to discuss the response of the Office of Management and Budget to CIA's request for a regulatory exemption from OPM's proposed regulations to implement the Federal Physicians Comparability Allowance Program established under 5 U.S.C. 5948. OMB was consulted by OPM on this matter because Executive Order 12109 requires that OPM regulations issued pursuant to 5 U.S.C. 5948 must be coordinated with OMB.

2. CIA had requested that OPM exempt CIA from both the substantive and reporting provisions of the proposed OPM regulations and that OPM authorize CIA to administer the Federal Physicians Comparability Allowance Program with regard to CIA physicians. Mr. Woodruff had indicated to me on a previous occasion that OPM was willing to exempt CIA from the reporting provisions of its regulations, but not from the substantive provisions. However, Mr. Woodruff stated, at that time, that the entire CIA request would be raised with OMB.

3. I was contacted by Mr. Woodruff on 22 June, after our request had been raised with OMB. Mr. Woodruff informed me that CIA's request for an exemption from the substantive and reporting provisions of OPM's proposed regulations was considered at a "high level" of OMB and that the National Security Division of OMB was also involved in the review of our request. Mr. Woodruff further informed me that the OPM hierarchy was told that OMB had a "policy" of trying to "bring CIA personnel practices into conformity with Government-wide personnel practices." Thus, pursuant to this policy, OMB not only did not want CIA exempted from the substantive provisions of the proposed regulations, but OMB objected to a CIA exemption from the reporting provisions of the proposed regulations.

4. I was assured by Mr. Woodruff that while OPM would go along with OMB's decision to make the substantive provisions of the proposed regulations applicable to CIA, OPM had no intention of requiring CIA to report to OPM on the implementation of the proposed regulations. Finally, Mr. Woodruff noted that it would be futile to persist in seeking from OPM a CIA exemption from the substantive provisions of the proposed regulations, because OPM would be precluded by OMB's hard-line from granting such an exemption. Mr. Woodruff suggested that any further request for exemption would be better made directly to OMB.



ST

ROUTING AND TRANSMITTAL SLIP		Date
TO: (Name, office symbol, room number, building, Agency/Post)		Initials Date
1. DAP		R
2. DAP		
3.	OMB's attitude is very serious!	
4.		
B.		
Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	
REMARKS		

Say OMB is not Pro CIA

DAP
401 clock I ten

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2. Stan -		
3. John L.	<i>gy</i>	
4. Tom	<i>1/3</i>	
5. CC -		

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

#2 - Change of Amb's new stance

#3/4 - FBI - might want a copy for Physicians Pay Bill

File

3-5 P/s. kerox a copy for me.

#5 - I have a file for OMB related items - let's discuss.

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